GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:1947
ANSWERED ON:14.03.2017
Safety of Victims
Ranjan (Pappu Yadav) Shri Rajesh;Ranjan Smt. Ranjeet

Will the Minister of HOME AFFAIRS be pleased to state:

(a) the measures taken to ensure safety of the victims providing testimonies against security personnel;

(b) the details of provisions made to translate and record their testimonies accurately and the measures taken to facilitate women to record their testimonies and meet court dates despite living far away;

(c) whether specific provisions of the Schedules Castes and Scheduled Tribes (Prevention of Atrocities) Act are being applied and if not, the reasons therefor;

(d) the total number of FIRs lodged against the State security personnel by the victims and the action taken against the guilty personnel along with interim relief provided to victims during each of the last three years and the current year, State-wise; and

(e) whether the investigation is being done by out of State officers to prevent bias and if so, the details of such investigation being conducted by the Special Investigation Team (SIT) or the Criminal Investigation Department?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI HANSRAJ GANGARAM AHIR)

(a) to (c):- 'Police' and 'Public Order' are State subjects under the seventh Schedule to the Constitution of India and therefore, the State
-2/-

Governments are primarily responsible for protecting the life and property
of the citizens including compliance to the special provision for SC/ST victim and witness under Chapter IVA of the Schedules Castes and Scheduled Tribes (Prevention of Atrocities) Act. Law Commission of India in its 198th Report gave its recommendations on "Witness Identity Protection & Witness Protection Programme". Based on recommendations, the Bill was circulated to the State Governments/ Union Territory Administrations for their views. As there was no consensus among the States, the matter was referred to Bureau of Police Research & Development (BPR&D) on 03.11.2016 to examine the matter having regard to the observation of the states and feasibility of an implementable Identity Protection Programme and supporting Law so as to enable Government to take a considered view.

(d): There is no separate data maintained centrally on FIRs lodged against the State security personnel by the victims, the action taken against the guilty personnel and the interim relief provided to the victims.
(e): States are empowered to constitute Special Investigation Team (SIT) or refer the case to Criminal Investigation Department including Central Bureau of Investigation.

****